

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

T.R. World Gym-IP, LLC and
T.R. World Gym, LLC

v.

Civil No. 07-cv-358-JM

Fitness Management Orlando, Inc.
d/b/a World Gym West Orlando, et al.

O R D E R

Having considered plaintiffs T.R. World Gym-IP, LLC's and T.R. World Gym, LLC's ("World Gym") Motion for Permanent Injunction (Doc. no. 15), the Memorandum in support thereof, the Declaration of Christopher J. Rondeau in support thereof, the Declaration of Teresa C. Tucker in support thereof the default judgments entered by the Clerk of this Court on January 29, 2008, the Summons documents, Complaint and proof of service on file herein, and all of the relevant papers and pleadings on file with the Court in this matter, THE COURT ORDERS AS FOLLOWS:

World Gym's Motion for Permanent Injunction against all Defendants is GRANTED.

1. Defendants are jointly and severally liable to World Gym for willful trademark infringement under federal law, 15 U.S.C. §1114 et seq., for infringing the following federally registered trademarks and service marks:

Trademark	Registration No.	Registration Date
WORLD	U.S. Reg. No. 1,911,887	August 15, 1995
WORLD GYM	U.S. Reg. No. 1,791,584	September 7, 1993
WORLD GYM FITNESS CENTER, plus design	U.S. Reg. No. 1,856,427	September 27, 1994
WORLD GYM, plus design	U.S. Reg. No. 2,499,267	October 23, 2001
WORLD GYM, plus design	U.S. Reg. No. 2,268,311	August 10, 1999
WORLD GYM, plus design	U.S. Reg. No. 1,354,193	August 13, 1985
WORLD GYM, plus design	U.S. Reg. No. 1,783,000	July 20, 1993

2. Defendants are jointly and severally liable to World Gym for false designation of origin, and false description and representation, under federal law, 15 U.S.C. §1125, et seq.

3. Defendants, their officers, agents, servants, employees, attorneys, and all persons in active concert, privity or participation with them, and each of them individually, without bond, shall be permanently enjoined from doing, abiding, causing or abetting any of the following:

(a) using any trademark, trade name, or domain name comprised of or incorporating "WORLD GYM" or "WORLD" or any term confusingly similar, phonetically similar or that constitutes a

misspelling of said term;

(b) using any other mark, trade name, domain name or indicia that is confusingly similar to or likely to dilute the distinctive quality of the WORLD GYM trademarks, including use of said marks as part of domain names, host names or e-mail addresses.

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: April 4, 2008

cc: Teresa C. Tucker, Esq.
Donald J. Perreault, Esq.